



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, वीरवार, 9 मई, 2013 / 19 वैशाख, 1935

हिमाचल प्रदेश सरकार

NAGAR PANCHAYAT MEHATPUR

(CONTROL AND REGULATION) OF MUCK DUMPING BYE-LAWS, 2013

NOTIFICATION

Dated, the 08th May, 2013

No. NPM(Muck Dumping)/2012-(1)-201.—The following Muck dumping bye-laws, 2013 made by the Nagar Panchayat Mehatpur in exercise of the power conformed by Section 216, 217

and Section 219 read with Clause (Yand zb) of sub section (1) of Section 202 of the Himachal Pradesh Municipal Act, 1994 (**Act No 13 of 1994**) as amended from time to time has been considered by Nagar Panchayat Mehatpur and finalized these bye-laws namely:—

“Nagar Panchayat Mehatpur (Control and regulation) of Muck Dumping Bye-laws, 2013”

Preliminary

1. Short title, commencement and application.—(i) these Bye-laws may be called “Nagar Panchayat Mehatpur (Control and regulation) of Muck Dumping Bye-laws, 2013”.

(ii) These Bye-laws shall come in to force from the date of their publication in the Rajpatra (extra-ordinary) Himachal Pradesh.

(iii) These Bye-laws shall be applicable within the jurisdiction of Nagar Panchayat Mehatpur as defined from time to time.

2. Definitions.— (i) In these Bye –laws, unless the context otherwise requires:—

(a) **“Act”**- means the Himachal Pradesh Municipal Act 1994 (Act No 13 of 1994) as amended from time to time.

(b) **“Applicant”**-means any person applying for permission for dumping of Muck in the authorized dumping places as specified by the Nagar Panchayat Mehatpur.

(c) **“Authorized Officer”**-means any officer/official duly authorized by the Nagar Panchayat Mehatpur under these Bye-laws.

(d) **“Muck”**-includes earth or stone, material of any description or any rubbish or polluted or obnoxious matter or Debris including building, construction waste.

(e) **“Place”**-mean authorized site specified by the Nagar Panchayat Mehatpur for dumping of Muck.

(f) **“Judicial Magistrate First Class”**-means the Judicial Magistrate having jurisdiction over the area of Nagar Panchayat Mehatpur under Act.

(g) Words and expression used in these Bye-laws but not defined herein shall have the meaning respectfully assigned to them under the Act.

3. Prohibition on Muck Dumping.—(i) No person ,either by himself or through another, shall knowingly or otherwise throw or cause to be thrown any kind of Muck in any place other than place specified by the Nagar Panchayat Mehatpur for dumping of Muck within their area.

(ii) Any person found dumping the muck illegally unauthorized and without any permission shall be liable for penalty under these Bye-laws and the vehicle or tools used for such dumping shall be impounded.

4. Procedure for Application and grant of permission.—(i) Applicant or the person concerned intended to commence the construction within the area of the Nagar Panchayat Mehatpur shall in writing submit detailed estimate of Muck to be generated from the plot/

construction site to the Nagar Panchayat Mehatpur on the prescribed proforma **appendix-1** at the time of submission of their building map/plan for sanction. The building plan without such estimate shall not be considered for sanction.

(ii) The estimate submitted by the applicant shall be verified by the concerned official after spot inspection and thereafter the carriage of muck to the generated from the plot/construction site shall be assessed for raising the bill and for according necessary permission in favour of the applicant .

(iii) The permission for dumping of debris shall be accorded only after obtaining receipt of the amount deposited the applicant in the Nagar Panchayat Mehatpur on this account.

(iv) The place for dumping of muck shall be communicated to the applicant by the Nagar Panchayat Mehatpur authorities in writing and the name of the place/site for dumping or debris by the applicant shall also be mentioned in their building sanction letter. Further, intimation of the same shall also be given to the concerned official or to the concerned agency or the contractor hired or engaged by the Nagar Panchayat Mehatpur for managing the dumping site.

(v) During transaction of the Muck , a person shall have to carry the original permission a copy of which shall be affixed on the windscreen of the vehicle and same shall to be show to the authorized Officer of the Nagar Panchayat Mehatpur at the time of inspection .

(vi) There shall be a restriction on movement of the vehicle carrying Muck after the sun set and before the sun rise . The normal timings for dumping the Muck in dumping site shall be between 9.00 A. M. to 5.00 P. M. However, in the case of exigencies, the Nagar Panchayat Mehatpur may in writing relax such restrictions.

(vii) No one shall be permitted to carry the digging and excavation of plot or land after sun set and before sun rise but the Nagar Panchayat Mehatpur in the larger public interest or in the case of emergent situation may relax such imposition /restrictions on receiving written request from the applicant or the concerned agency or the authority interested in this regard.

(viii) The person after obtaining the sanction of building map from the competent authority or before raising the construction at site is required to install a painted board of the Size of 2feet ×3feet indicating there in the number and date of the sanctioned, commencement of construction and hours during which construction can be carried out, time when excavation can be done , name of dumping site allotted to the applicant for the purpose of dumping muck, nature of sanction, the area of construction sanctioned on each floor and the telephone number of the office/Control Room set up by the Nagar Panchayat Mehatpur for entertainment of complaints etc.

(ix) The Nagar Panchayat shall prescribe the conditions relating to the application of muck generation from the plot, grant of sanction muck disposal and condition relating to affixing of board at site giving therein the detail as mentioned in clause (Viii) at the time of building sanction.

5. Rate of dumping of muck.—The following rates shall be applicable for dumping of muck in the specified places.

(1) Tipper Heavy duty	Rs.200/- per tipper /truck
(2) Tipper light duty	Rs.100/- per tipper
(3) Tractor trolley	Rs.80/- per trolley
(4) Pick up	Rs. 50/- per pickup

An increase of 10% on these rates shall be applicable after every financial year which shall be notified by the Nagar Panchayat Mehatpur.

In case where muck is dumped not by use of mechanized but by use of manual labour horse carts, wheel barrow, hand cart, etc the following rates shall be applicable for dumping of muck in the specified places.

(1) Horse Cart	Rs. 20/- per trip
(2) Wheel barrows /hand cart	Rs. 10/- per trip
(3) Muel	Rs. 5/- per trip
(3) Manual	Rs. 1/- per basket

6. Duties and responsibilities of person concerned.—(i) It shall be the duty and responsibility of owner to make available all the sanctions/permission granted by the component authority to the person so hired or engaged by him for dumping of muck in a specified places as specified by the Nagar Panchayat Mehatpur .

(ii) Whosoever is found dumping muck other than the places specified by the Nagar Panchayat Mehatpur, the owner or the person caught dumping the muck shall be liable jointly for penalty under these Bye-laws .

(iii) At the time of transportation of muck , the person concerned shall make available the permission to the inspecting staff at the time of inspection of vehicle without causing any hindrance.

7. Impounding of vehicle.—(i) The authorized officer or the police establishment or the Nagar Panchayat Mehatpur in this behalf either on the information received by himself or through other source shall immediately on receiving such information may stop and inspect the vehicle carrying muck for the purpose of ascertaining the required permission at any point of time and impound the same if any found violating the provision of these Bye-laws.

(ii) The vehicle shall only be released in case the register owner of the vehicle applies for compounding of offences under these Bye-laws.

(iii) The official impounding the vehicle shall impounding the vehicle shall immediately report in writing about the impounding of vehicle to the authorized officer/official and keep the same in custody at the place designated by the Nagar Panchayat Mehatpur till it is not released to the registered owner .The halt charges of the vehicle at such designated place shall be levied at the rate of Rs. 500/- per day payable by registered owner to the Nagar Panchayat Mehatpur in cash or through demand draft.

8. Compounding of offences.—All the offences punishable under these bye-laws may, before the institution of prosecution, be compounded by such officer as may be authorized by the Nagar Panchayat Mehatpur or Secretary in this behalf, on payment of sum Rs. 100/-such officer under these Bye –laws.

(i) The junior engineer of Nagar Panchayat Mehatpur is also authorized to panel action against the guilty found under this act.

(9) Offences to be tried summarily.—The offences which are not compounded shall be tried in a summary manner by the special judicial Magistrate First Class of the concerned municipal area under section 2060 of the code of criminal procedure.

(i) If any cases of disposal of muck where no planning /Building permission is required . Therefore these bye-laws should not only deal with muck being generated on account of construction where building permission is required but even where such building permission is not required. For example, when a person carries out minor repair of his house he may not be required to obtain permission but muck may be generated. The whole muck dumping Bye-laws 2012 shall also be applicable in these cases.

10. Penalty.—(i) Whosoever is guilty of dumping Muck other than the place specified /notified by the Nagar Panchayat Mehatpur the rates of penalty shall be ten time at the first instance , twenty time at the second instance and for the third instance or thereafter the amount of penalty shall be thirty time of the actual rate of dumping as fixed by the Nagar Panchayat Mehatpur in respect of the class and make of vehicle as defined in clause 5 of these Bye-laws.

(ii) And where muck is dumped not by use of mechanized means but by use of manual labour mules etc. whosoever is guilty of dumping muck other than the place specified/notified by the Nagar Panchayat Mehatpur penalty shall be Five time at the first instance, ten time at the second instance and for the third instance or thereafter the amount of penalty shall be fifteen time of the actual rate of dumping as fixed by the Nagar Panchayat Mehatpur in respect of the class and make of vehicle and manual, mules, carts as defined clause 5 of these bye-laws .

(iii) In case of repeated violation, in addition to penalty as specified above, the owner at whose instance the construction/excavation work is carried and is found dumping the Muck illegally or without the permission of the component authority as the case may be shall also be liable for disconnection of water, electricity and others civic amenities and the concerned officer / official may request the competent authority for withdrawal of recognition and registration granted in favour of the owner concerned.

By order,
Sd/-

Secretary Nagar Panchayat Mehatpur.

आबकारी एवं कराधान विभाग

अधिसूचना

शिमला-171009, 27 अप्रैल, 2013

संख्या: 7-505/2012-ई.एक्स.एन.-13112.-31.—दिनांक 27-4-2013 प्रथम नवम्बर, 1966 से ठीक पूर्व हिमाचल प्रदेश में समाविष्ट क्षेत्रों में तथा पंजाब पूर्णगठन अधिनियम, 1966 (1966 का 31) की धारा 5 के अधीन हिमाचल प्रदेश में जोड़े गये क्षेत्रों में यथा प्रवृत्त पंजाब एक्साईज ऐक्ट, 1914 (1914 का 1) की धारा 59 जो कि हिमाचल प्रदेश एक्साईज ऐक्ट, 2011 की धारा 82 के साथ पठित है, द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये तथा उक्त अधिनियम की धारा 9 के अधीन और इसके साथ पठित हिमाचल प्रदेश (एक्साईज पावर एण्ड अपील) आर्डर, 1965 द्वारा मुझ में निहित वित्तायुक्त (आबकारी) की शक्तियों का प्रयोग करते हुये मै, आर0एस0 नेगी, आबकारी एवं कराधान आयुक्त, हिमाचल प्रदेश, एतद्वारा हिमाचल प्रदेश लिकर लाईसेंस रूलज, 1986 (जिन्हें यहां उसके पश्चात "उक्त रूलज" कहा गया है) में तुरन्त प्रभाव से और संशोधन करता हूँ:-

संशोधन

In the said rules.—

Sub-rule (26) of Rule 38 shall be substituted by the following, namely:—

(26) A license in form L.19 may be granted for the vend of rectified spirit for medicinal, industrial and scientific purposes –

- (a) Rectified spirit sold under this license shall be of strength not less than 60 degree over-proof and neither water nor any substance whatsoever shall be added to it by the licensee. The licensee shall, in accordance as he may be permitted by the Financial Commissioner, obtain supplies from one or more of the sources and subject to the conditions, if any, imposed by him, obtain supplies of rectified spirit from a bonded warehouse, set up or approved by Government or from any licensed distillery in Himachal Pradesh, Punjab, Uttar Pradesh, Haryana or Maharashtra so authorized by the Financial Commissioner.
- (b) The licensee shall not have in his possession at any one time a quantity exceeding 50000 (Fifty Thousand) litres or such larger quantity as the Financial Commissioner may specially authorize.
- (c) The licensee shall sell rectified spirit for medicinal, industrial and scientific purposes only.
- (d) The licensee shall not sell in any one transaction more than the quantity which the purchaser is permitted to possess.
- (e) The licensee shall label every receptacle containing rectified spirit conspicuously showing the nature and place of manufacture of its contents.
- (f) The licensee shall maintain separate accounts of sales by wholesale and retail in form L.31 and shall at the end of each month prepare and submit to the Asstt. Excise & Taxation Officer/Excise & Taxation Inspector, as the case may be, a monthly true abstract of receipts and sales in form M.71.

2. The entry 22 of Schedule-A appended to the said Act, shall be substituted by the following, namely :—

22.	L.19 vend of rectified spirit wholesale and/or retail for medicinal, industrial and scientific purposes.	Rs.1,00,000/- per annum
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हस्ताक्षरित /—
आबकारी एवं कराधान आयुक्त

(Authoritative English Text of Excise & Taxation Department Notification No.7-505/2012-exn-13112-31 Dated 27-4-2013 April, 2013 as Required Under Article 348(3) of the Constitution of india).

EXCISE AND TAXATION DEPARTMENT

NOTIFICATION

Shimla-171009, the 27 April, 2013

No.7-505/2012-EXN-13112.—Dated 27-4-2012 In exercise of the powers conferred by section 59 of the Punjab Excise Act, 1914 (1 of 1914) read with Section 82 of the Himachal

Pradesh Excise Act, 2011, as in force in the areas comprised in Himachal Pradesh immediately before 1st November, 1966 and as in force in the Territories transferred to Himachal Pradesh under section 5 of the Punjab Re-Organization Act, 1966 (31 of 1966) and by virtue of the powers of the Financial Commissioner (Excise), conferred on me under section 9 of the said Act, read with the Himachal Pradesh (Excise Power and Appeal) Orders, 1965, I, R.S.Negi, Excise and Taxation Commissioner, Himachal Pradesh hereby make the following further amendments in the Himachal Pradesh Liquor License Rules, 1986 (hereinafter called the 'said rules') as amended from time to time, with immediate effect :—

AMENDMENTS

In the said rules.-

Sub-rule (26) of Rule 38 shall be substituted by the following, namely :—

(26) A license in form L.19 may be granted for the vend of rectified spirit for medicinal, industrial and scientific purposes –

- (a) Rectified spirit sold under this license shall be of strength not less than 60 degree over-proof and neither water nor any substance whatsoever shall be added to it by the licensee. The licensee shall, in accordance as he may be permitted by the Financial Commissioner, obtain supplies from one or more of the sources and subject to the conditions, if any, imposed by him, obtain supplies of rectified spirit from a bonded warehouse, set up or approved by Government or from any licensed distillery in Himachal Pradesh, Punjab, Uttar Pradesh, Haryana or Maharashtra so authorized by the Financial Commissioner.
- (b) The licensee shall not have in his possession at any one time a quantity exceeding 50000 (Fifty Thousand) litres or such larger quantity as the Financial Commissioner may specially authorize.
- (c) The licensee shall sell rectified spirit for medicinal, industrial and scientific purposes only.
- (d) The licensee shall not sell in any one transaction more than the quantity which the Purchaser is permitted to possess.
- (e) The licensee shall label every receptacle containing rectified spirit conspicuously showing the nature and place of manufacture of its contents.
- (f) The licensee shall maintain separate accounts of sales by wholesale and retail in form L.31 and shall at the end of each month prepare and submit to the Asstt. Excise & Taxation Officer/Excise & Taxation Inspector, as the case may be, a monthly true abstract of receipts and sales in form M.71.

2. The entry 22 of Schedule-A appended to the said Act, shall be substituted by the following, namely :—

22.	L.19 vend of rectified spirit wholesale and/or retail for medicinal, industrial and scientific purposes	Rs.1,00,000/- per annum
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By order,
-Sd-

Excise & Taxation Commissioner.

आबकारी व कराधान विभाग

अधिसूचना

शिमला-2, 18 अप्रैल, 2013

संख्या—ई0एक्स0एन0—एफ(6)1/2004—लूज.—हिमाचल प्रदेश की राज्यपाल, हिमाचल प्रदेश (होटल और आवास गृह) विलास—वस्तुएं कर अधिनियम, 1979 (1979 का अधिनियम संख्यांक 15) की धारा 6—ड द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राज्य में जनजातीय और दुर्गम क्षेत्रों में पर्यटन को बढ़ावा देने के लिए जनजातीय और दुर्गम क्षेत्रों में नए होटलों के रजिस्ट्रीकृत स्वत्वधारियों को, जो अप्रैल, 2012 के बाद प्रवर्तन में आए हैं, विलास—वस्तु कर के संदाय से छूट देने के लिए निम्नलिखित स्कीम बनाने का प्रस्ताव करती है।

किसी हितबद्ध व्यक्ति का प्रस्तावित स्कीम की बाबत यदि कोई आक्षेप(पों) या सुझाव (वों) है तो वह उक्त प्रारूप स्कीम को राजपत्र हिमाचल प्रदेश में प्रकाशन की तारीख से पन्द्रह दिन की अवधि के भीतर आबकारी एवं कराधान आयुक्त, हिमाचल प्रदेश, शिमला-171009 को भेज सकेगा।

उपर्युक्त विनिर्दिष्ट अविध के भीतर प्राप्त हुए आक्षेप (पों) या सुझाव (वों), यदि कोई है, पर उक्त प्रारूप स्कीम को अंतिम रूप देने से पूर्व, राज्य सरकार द्वारा विचार किया जाएगा, अर्थात:—

प्रारूप स्कीम

1. संक्षिप्त नाम, प्रारम्भ और विस्तार.—(1) इस स्कीम का संक्षिप्त नाम हिमाचल प्रदेश जनजातीय और दुर्गम क्षेत्रों में नए होटलों के स्वत्वधारियों के विलास—वस्तु कर के संदाय से छूट स्कीम, 2013 है।

(2) यह राजपत्र, हिमाचल प्रदेश में प्रकाशन की तारीख से प्रवर्तन में आएगी।

2. परिभाषाएं.—(1) इस स्कीम में जब तक कि सन्दर्भ से अन्यथा आपेक्षित न हो,—

(क) (अधिनियम) से हिमाचल प्रदेश (होटल और आवास गृह) विलास—वस्तुएं कर अधिनियम, 1979 अभिप्रेत है;

(ख) (निदेशक) से निदेशक, पर्यटन, हिमाचल प्रदेश अभिप्रेत है;

(ग) (प्रारूप) से इस अधिनियम से संलग्न प्रारूप अभिप्रेत है; और

(घ) (नए होटल) से वह होटल अभिप्रेत है जो अधिनियम की धारा 6 ड के अधीन विनिर्दिष्ट जनजातीय और दुर्गम क्षेत्र में प्रथम अप्रैल, 2012 के पश्चात् प्रवर्तन में आता है।

(2) अन्य समस्त शब्दों और पदों के, जो इसमें प्रयुक्त हैं किन्तु परिभाषित नहीं हैं, वही अर्थ होंगे जो अधिनियम में उनके हैं।

3. छूट की स्वीकार्यता.— (1) नए होटलों के स्वत्वधारियों के विलास—वस्तु कर के संदाय से छूट केवल तभी अनुज्ञेय होगी यदि—

(i) होटल प्रथम अप्रैल, 2012 के पश्चात् प्रवर्तन में आया है और अधिनियम के अधीन पर्यटन विभाग के पास रजिस्ट्रीकृत है;

(ii) होटल ने प्रथम अप्रैल, 2012 के पश्चात प्रचालन आरम्भ किया है;

(iii) स्वत्वधारी ने पर्यटन विभाग (जिला स्तरीय प्राधिकारी) से प्रारूप एल.टी.ई. (टी.एण्ड.एच.)—1 में प्रमाण—पत्र प्राप्त किया है;

- (iv) विलास-वस्तु कर के संदाय से छूट प्रदान करने हेतु निर्धारण प्राधिकारी को पर्यटन विभाग से प्ररूप एल.टी.ई.(टी.एण्ड.एच.)-1 पर प्राप्त किए गए प्रमाण-पत्र सहित साधारण आवेदन पर अनुरोध करने के पश्चात्, स्वत्वधारी ने उक्त प्राधिकारी से प्ररूप एल.टी.ई.(टी.एण्ड.एच.)-2 पर छूट का प्रमाण-पत्र प्राप्त किया है; और
- (v) नए होटल का स्वत्वधारी, अधिनियम और तद्धीन विराचित नियमों के समस्त उपबन्धों का अनुपालन करता हो।
- (2) निर्धारण प्राधिकारी नए होटलों रजिस्ट्रीकृत स्वत्वधारियों को समस्त औपचारिकताएं पूर्ण करने के पश्चात् प्ररूप एल.टी.ई.(टी.एण्ड.एच.)-2 छूट का प्रमाण-पत्र जारी करेगा।
- (3) छूट का प्रमाण पत्र निर्धारण प्राधिकारी द्वारा वापस ले लिया जाएगा, यदि नए होटल के स्वत्वधारी का रजिस्ट्रीकरण निदेशक द्वारा निरस्त किया गया है या वापस लिया गया है।
- (4) नए होटलों का कोई भी स्वत्वधारी उस अवधि के दौरान, जब छूट प्रवृत्त रहती है, नए होटलों में उपलब्ध करवाई गई विलास-वस्तु के लिए, विलास-वस्तु कर के रूप में कोई रकम संगृहीत नहीं करेगा।
- (5) प्ररूप एल.टी.ई.(टी.एण्ड.एच.)-2 पर जारी किया गया छूट का प्रमाण-पत्र, आरम्भ में नए होटल के प्रवर्तन के प्रारम्भ की तारीख से पांच वर्ष की अवधि के लिए होगा और यदि खण्ड (iii) के अधीन जारी रजिस्ट्रीकरण प्रमाण पत्र निदेशक द्वारा रद्द नहीं किया जाता है या वापस नहीं लिया जाता है तो नवीकरण के अध्यधीन होगा।
- (6) इस स्कीम में किसी बात के होते हुए भी, निर्धारण प्राधिकारी स्वप्रेरणा से या किसी रिपोर्ट या शिकायत की प्राप्ति पर और नए होटल के स्वत्वधारी को सुनवाई का अवसर प्रदान करने के पश्चात्, यदि उसका समाधान हो जाता है कि, इस स्कीम में विनिर्दिष्ट किन्हीं शर्तों सहित अधिनियम के उपबन्धों में से किसी का या तद्धीन बनाए गए नियमों का भंग किया है तो वह अधिनियम और तद्धीन बनाए गए नियमों के अधीन विधिक कार्रवाई कर सकेगा, मानों यह स्कीम विद्यमान ही नहीं थी और इसमें कर का अपवंचन था।
- (7) इस स्कीम के अधीन उन विद्यमान होटलों को कोई छूट उपलब्ध नहीं होगी जिन्होंने होटल की मरम्मत की है या उसका विस्तार किया है।

प्ररूप एल. टी. ई. (टी.एण्ड एच.)-1
(पैरा 3 (i) (iii) देखें)

संख्या: ई0एक्स0एन0-एफ (6)-1/2004 -लूज

1. प्रमाणित किया जाता है कि.....(होटल का नाम और पूर्ण पता) जिसका/जिसके स्वत्वधारी/स्वामी/भागीदार श्री/श्रीमती.....हैं अधोहस्ताक्षरी के कार्यालय में रजिस्ट्रीकरण संख्या.....तारीख.....के विरुद्ध रजिस्ट्रीकृत है।
2. यह भी प्रमाणित किया जाता है कि उक्त होटल अधिनियम की धारा 6-ड. के अधीन यथा विनिर्दिष्ट जनजातीय/दुर्गम क्षेत्र में अवस्थित है।
3. यह प्रमाणित किया जाता है कि (i) निवास के लिए आवास; और (ii) अन्य सुख-सुविधाएं.....से.....की अवधि के लिए निम्नलिखित दरें और प्रभार अनुमोदित हैं :-

दरें और प्रभार

 - (i) निवास के लिए आवासरूपए।
 - (ii) अन्य सुख-सुविधाएं रूपए।

4 यह प्रमाण-पत्र.....से.(पांच वर्ष) तक विधिमान्य होगा।

5. यह भी प्रमाणित किया जाता है कि उपरोक्त विशिष्टियां, आबकारी एवं कराधान विभाग द्वारा सत्यापन के अधीन होंगी।

जिला पर्यटन अधिकारी,
(इस प्रमाण पत्र के हस्ताक्षरित करने वाले अधिकारी की मुहर सहित)

तारीख.....

छूट प्रमाण पत्र

(पैरा 3 (1) और 3 (2) देखें)
प्ररूप एल. टी. ई. (टी. एण्ड एच.)-2

छूट प्रमाण पत्र संख्या:

एतद्वारा प्रमाणित किया जाता है कि हिमाचल प्रदेश (होटल और आवास गृह) विलास-वस्तुएं अधिनियम, 1979 के अधीन होटल के नाम और अभिनाम से रजिस्ट्रीकृत मैसर्ज..... कार्यालय पता.....पर स्थित रजिस्ट्रीकरण प्रमाण पत्र संख्या.....की तारीख सेतक विधिमान्य है, हिमाचल प्रदेश (होटल और आवास गृह) विलास-वस्तुएं कर अधिनियम, 1979 की धारा 6-ड. के उपबन्धों के अनुसार विलास-वस्तु कर के संदाय को.....से.....तक की अवधि के लिए छूट प्राप्त करने का हकदार है।

निर्धारण अधिकारी,

कार्यालय की मुहर सहित

जारी करने की तारीख.....नामस्थान.....जिला.....

आदेश द्वारा,
हस्ताक्षरित / -
प्रधान सचिव (आबकारी एवं कराधान)

(Authoritative English text of Government Notification No. EXN-F(6)-1/2004-Loose, dated 18th April, 2013 as required under clause (3) of Article 348 of the constitution of India).

EXCISE AND TAXATION DEPARTMENT

NOTIFICATION

Shimla-171002, 18 th April, 2013

No. EXN-F(6)-1/2004-Loose.—In exercise of the powers conferred by section 6-E of the Himachal Pradesh Tax on Luxuries (in Hotels and Lodging Houses) Act, 1979 (Act No. 15 of 1979), the Governor of Himachal Pradesh proposes to make the following scheme to promote tourism in tribal and hard areas in the State by exempting the registered proprietors of new hotels in tribal and hard areas which came into operation after April, 2012 from the payment of luxury tax.

Any interested person who has any objection(s) or suggestion(s) with regard to the proposed scheme he may send the same to the Excise and Taxation Commissioner, Himachal Pradesh, Shimla-171009, within a period of 15 days from the date of publication of the said draft scheme in the Official Gazette Himachal Pradesh.

The objection(s) or suggestion(s), if any, received in the period specified above shall be taken into consideration by the State Government before finalizing the said draft scheme, namely:—

DRAFT SCHEME

1. Short title, commencement and extent.—(1) This scheme may be called the Himachal Pradesh Exemption from payment of Luxury Tax to the proprietors of new hotels in tribal and hard areas Scheme, 2013.

(2) It shall come into operation from the date of its publication in the Rajpatra, Himachal Pradesh.

2. Definitions (1) In this scheme unless the context otherwise requires,

- (a) 'Act' means the Himachal Pradesh Tax on Luxuries (in Hotels and Lodging Houses) Act, 1979,
- (b) 'Director' means the Director Tourism, Himachal Pradesh,
- (c) 'Form' means a form appended to this Scheme, and
- (d) 'new hotel' means hotel in tribal and hard areas as specified under section 6-F which comes into operation after 1st April, 2012.

(2) All other words and expressions used herein but not defined shall have the same meaning as respectively assigned to them in the Act.

3. Admissibility of Exemption.—(1) The exemption from payment of luxury tax shall be admissible to the proprietors of new hotels only if-

- (i) the hotel has come into operation after 1st April, 2012 and is registered with the Tourism Department under the Act;
- (ii) the hotel has commenced operation after 1st April, 2012;
- (iii) the proprietor has obtained a certificate in Form L.T.E.(T&H)-I from the Tourism Department (District Level Authority);
- (iv) the proprietor after making a request on simple application to the Assessing Authority for granting exemption from payment of Luxury Tax, accompanied by a certificate obtained from the Tourism Department on Form L.T.E(T&H)-I, has obtained an exemption certificate-in Form L.T.E (T&H)-II from the said Authority; and
- (v) the proprietor of the new hotel complies with all the provisions of the Act and the rules framed there-under.

(2) The Assessing Authority shall issue the Exemption Certificate in Form L.T.E.(T&H)-II after completion of all codal formalities to the registered proprietors of new hotels.

(3) The exemption certificate may be withdrawn by the Assessing Authority, if the registration of the proprietor of the new hotel has been cancelled or withdrawn by the Director.

(4) No proprietor of new hotels shall during the period when the exemption remains in force collect any sum by way of luxury tax for the luxury provided in new hotels.

(5) The exemption certificate issued in Form L.T.E. (T&H)-II shall initially be for a period of five years from the date the new hotel starts its operation and shall be subject to renewal unless certificate of registration issued under clause (iii) is cancelled or withdrawn by the Director.

(6) Notwithstanding anything contained in this scheme, the Assessing Authority may suo-moto or on receipt of a report or complaint and after affording an opportunity of being heard to the proprietor of the new hotel, if he is satisfied that a breach of any of the provisions of the Act or the rules made thereunder including any of the conditions specified in this scheme has been committed, it may take legal action under the Act and the rules made thereunder as if this scheme was not in existence and there was evasion of tax.

(7) No exemption under this scheme shall be available to an existing hotel which has been renovated or expanded.

FORM L.T.E.(T&H)-I
(see para-3(1)(iii))

CERTIFICATE

No.....

1. This is to certify that(name and full address of the hotel).....the Proprietor/Owner/partner/whereof is/are Shri/ Smt.....is registered as a new hotel in the office of the undersigned against Registration No.....dated.....

2. This is also to certify that the said hotel is located in a tribal/ hard area as specified under section 6-E of the Act.

3. This is to certify that the rates and charges for (i) accommodation for residence and (ii) other amenities approved for the period from.....to.....are:—

Rate and Charges

(i) Accommodation for residence

Rs.

(ii) Others amenities

Rs.

4. This certificate shall be valid from.....to(five years).

5. This is also certified that the above particulars shall be subject to verification by the Excise and Taxation Department.

Dated.....

District Tourism Officer,
(with Stamp of the Officer
Signing this certificate).

EXEMPTION CERTIFICATE**(See para-3(1) and 3(2))****Form LTE (T&H)-II**

Exemption Certificate No.....

It is hereby certified that the hotel in the name and style of M/s.....
 situated at.....office
 address.....registered under the Himachal Pradesh Tax on Luxuries
 (in Hotels and Lodging Houses) Act, 1979 under Registration Certificate No.....with
 date of validity from.....to.....is entitled to avail
 exemption from the payment of Luxury tax in accordance with the provisions of section 6-E of the
 Himachal Pradesh Tax on Luxuries (in Hotels and Lodging Houses) Act, 1979 for a period
 from.....to.....

Assessing Authority with his office seal.

Date of issue.....Name.....Place.....
District.....

By order,
 Sd/-

*Principal Secretary (E&T).***File No. EXN-F(6)1/2004-I-Loose**

**CABINET MEMORANDUM FOR CONSIDERATION OF THE COUNCIL OF
 MINISTERS**

Minister-in-Charge : Hon'ble Excise and Taxation Minister**Secretary-in-Charge :** Principal Secretary (Excise & Taxation)

Subject.—Implementation of Budget Announcements- Proposals to abolish registration fee and exemption from payment of Luxury Tax in respect of new hotels in the backward panchayats under the HP Tax on Luxuries (in Hotels and Lodging Houses) Act, 1979 thereof.

1. While presenting the annual budget for the year 2013-14, Hon'ble Chief Minister, Himachal Pradesh has made the following announcements:—

“89. I announce that the registration fee under the H.P. VAT Act, CST Act, Passenger & Goods Tax Act and Luxury Tax Act will be abolished for the new dealers to facilitate their early registration.....”.

“97. Our Government will encourage opening of new hotels and tourist facilities in the backward Panchayats of the State having a potential of tourism. I hereby announce that all the new hotels in the backward Panchayats will be exempted from payment of luxury tax under the HP Tax on Luxuries (in Hotels and lodging Houses) Act, 1979 for a period of 10 years from the date the hotel starts functioning.”

2. In order to implement the above announcements, the certain provisions of HP Tax on Luxuries (in Hotels and Lodging Houses) Act, 1979 and HP Tax on Luxuries (in Hotels and Lodging Houses) Rules, 1979 are required to be amended in order to provide necessary legal enforcement. As such, the following proposal is submitted for consideration:—

Sr. No.	Present Provision	Proposed Provision
1.	5-A (3). If the Assessing authority is satisfied that an application for registration is in order, he shall, in accordance with such Rules and on payment of such fee, as may be prescribed, register the applicant and grant him Certificate of Registration in the prescribed Form.	In Section 5-A(3) after the words “ in accordance with such rules” the words “and on payment of such fee as may be prescribed” shall be deleted.
2.	Insertion of Section 6-F	<p>After the existing section 6-E of the Himachal Pradesh Tax on Luxuries (in Hotels and Lodging Houses) Act, 1979, the following new section 6-F shall be inserted namely:—</p> <p>“6-F. Special provisions relating to xemption from payment of luxury tax by proprietors of new hotels in duly notified backward panchayats”</p> <p>(1) Notwithstanding anything contained in this Act, if the Government is of the opinion that in order to promote tribal and hard area tourism in the State, it is necessary or expedient in the public interest to do so, it may notify a scheme, and exempt the registered proprietors of new hotels in tribal and hard areas come into operation after ist April,2012 from the payment of luxury tax for a period of ten years from the date the hotel commences operation, subject to such restrictions and conditions as may be specified in the said scheme.</p> <p>(2) Notwithstanding anything contained in sub- section (6) of section 4, no proprietor of such new hotels, shall during the period when the exemption under sub-section(1) remains in force collect any sum by way of luxury tax for the luxury provided in such new hotels.</p>
3.	<p>Deletion of Rule 3-A(2)</p> <p>An application referred to in subrule (1) shall be accompanied by a Treasury Challan vide which a sum of rupees twenty five have been deposited in the appropriate Government Treasury as a registration fee under the relevant head of account.</p>	In the H.P. Tax on Luxuries (in Hotels and Lodging Houses) Rules, 1979, the Rule 3-A(2) shall be deleted.

4.	Amendment in Rule 3-C(2) Any registered proprietor may obtain from the appropriate Assessing Authority, on deposit of a fee of rupees five through treasury challan in the appropriate Government Treasury, a duplicate copy of any registration certificate issued to him under sub-rule 91), which may have been lost, destroyed or defaced.	In Rule 3-C(2) after the words “may obtain from the appropriate Assessing Authority” the words “on the deposit of a fee of rupees five through treasury challan in the appropriate Government Treasury” shall be deleted.
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3. In order to amend the Section 5-A(3) and insertion of new Section 6-F, as stated above, we have to amend the Himachal Pradesh Tax on Luxuries (In Hotels and Lodging Houses) Act, 1979 by introducing a Bill in the Legislative Assembly or by promulgating an Ordinance. Since the Legislative Assembly is not in session, therefore, it is proposed that “Himachal Pradesh Tax on Luxuries (In Hotels and Lodging Houses) Amendment Ordinance, 2013” (Annexure ‘A’) may be promulgated under clause (1) of article 213 of the Constitution of India. However, under Section 17 of the Himachal Pradesh Tax on Luxuries (In Hotels and Lodging Houses) Act, 1979, the Government is empowered to make rules, as such a draft notification as per Annexure ‘B’ is submitted for consideration.

4. At present, no financial implication is involved in the proposal.
5. The approval of the Hon’ble Chief Minister to place this matter before the Council of Ministers has been obtained.

POINTS FOR CONSIDERATION

1. Whether HP Tax on Luxuries (in Hotels and Lodging Houses) Amendment Ordinance, 2013 (Annexure ‘A’) be approved and promulgated as per proposal at para 2 and 3 above subject to vetting it by Law Department?
2. Whether the HP Tax on Luxuries (in Hotels and Lodging Houses) Rules, 1979 be amended as proposed at para 2 & 3 above as per draft notification annexed at Annexure ‘B’ after getting it vetted from the Law Department.

Sd/-
Principal Secretary (E&T).

Date :

Shimla.

आबकारी एवं कराधान विभाग

अधिसूचना

शिमला-171002, मई, 2013

संख्या ईएक्सएन-एफ (16)3/1999.—हिमाचल प्रदेश की राज्यपाल, हिमाचल प्रदेश मनोरंजन शुल्क अधिनियम, 1968 (1968 का अधिनियम संख्यांक 12) की धारा 12 की उपधारा (3) के अधीन उनमें निहित शक्तियों का प्रयोग करते हुए, मैसर्स शंकर मैजिकल कम्पनी को, हिमाचल प्रदेश राज्य में 01-05-2013 से

31-10-2013 तक आयोजित किए जाने वाले जादूगर प्रदर्शनों पर, पूर्वोक्त अधिनियम के अधीन शुल्क के संदाय से छूट प्रदान करती हैं ।

आदेश द्वारा,
हस्ताक्षरित/—
प्रधान सचिव (आब0 एवं करा0)।

(Authoritative English text of this department notification No. EXN-F (16) 3/1999, dated-----as required under clause (3) of Article 348 of the Constitution of India).

EXCISE AND TAXATION DEPARTMENT

NOTIFICATION

Shimla-171002, the May, 2013

No. EXN-F (16)3/1999.—The Governor of Himachal Pradesh, in exercise of the powers vested in her under sub-section (3) of Section 12 of the Himachal Pradesh Entertainments Duty Act, 1968 (Act No. 12 of 1968) is pleased to exempt M/s Shankar Magical Company, from the payment of duty under the Act ibid on the Magic Shows to be organized in the State of Himachal Pradesh w.e.f. 01-05-2013 to 31-10-2013.

By order,
Sd/-
Pr. Secretary (E&T).

(Authoritative English text of Government Notification No. dated as required under clause (3) of Article 348 of the Constitution of India).

EXCISE AND TAXATION DEPARTMENT

NOTIFICATION

Shimla-2, the.....May, 2013

No. _____ In exercise of the powers conferred under Section 22 of the Himachal Pradesh Passengers and Goods Taxation Act, 1955 (Act No. 15 of 1955) the Governor of Himachal Pradesh proposes to amend the following rules of the Himachal Pradesh Passenger and Goods Taxation Rules, 1957 and the same are hereby published in the egazette, Himachal Pradesh for the information of general public.

If any interested person likely to be affected has any objection (s) or suggestion (s) with regard to aforesaid proposal, he may sent the same to the Excise and Taxation Commissioner, Himachal Pradesh, Shimla-171009 within a period of 15 days from the date of publication of this notification;

Objection (s) suggestion (s), if any received within the above stipulated period, shall be taken into consideration by the Government before finalizing the same, namely:—

DRAFT AMENDMENT

Short title.—These Rules may be called the Himachal Pradesh Passengers and Goods Taxation (Amendment) Rules, 2013.

Deletion of Rule 3(d).—In rule 3 of the Act the clause (d) shall be deleted.

Amendment of Rule 4(3) (a).—In the rule 4(3) (a) after the words “on application made by such owner” the words “and accompanied by a treasury receipt of Re.1” shall be deleted.

By order,
Sd/-
Principal Secretary (E&T).

(Authoritative English text of Government Notification No. dated as required under clause (3) of Article 348 of the Constitution of India).

EXCISE AND TAXATION DEPARTMENT**NOTIFICATION**

Shimla-2, the May, 2013

No._____ In exercise of the powers conferred under Section 17 of the Himachal Pradesh Tax on Luxuries (in Hotels and Lodging Houses) Act 1979 (Act No 15 of 1979) the Governor of Himachal Pradesh proposes to further amend the Himachal Pradesh tax on Luxuries (in Hotels and lodging Houses) Rules, 1979 and the same are hereby published in the e-gazette, Himachal Pradesh for the information of general public.

If any interested person likely to be affected has any objection (s) or suggestion (s) with regard to aforesaid proposal, he may send the same to the Excise and Taxation Commissioner, Himachal Pradesh, Shimla-171009 within a period of 15 days from the date of publication of this notification;

Objection (s) suggestion (s), if any received within the above stipulated period, shall be taken into consideration by the Government before finalizing the same, namely:—

DRAFT AMENDMENT

1. Short title.—These Rules may be called the Himachal Pradesh tax on Luxuries in Hotels and lodging Houses (Amendment) Rules, 2013.

2. Deletion of Rule 3-A(2).—In the H.P Tax on Luxuries(In Hotels and Lodging Houses) Rules, 1979 after the Rule 3-A the second proviso namely Rule 3-A(2) shall be deleted.

Amendment of Rule 3-C(2).—In Rule 3-C(2) after the words “may obtain from the appropriate Assessing Authority” the words “on the deposit of a fee of rupees five through treasury challan in the appropriate Government Treasury” shall be deleted.

By order,
Sd/-
Principal Secretary (E&T).

URBAN DEVELOPMENT DEPARTMENT**NOTIFICATION***Shimla-2, the 8th May, 2013*

No. UD-A (1)-1/2013-Loose.—In exercise of the powers conferred by sub-section (4) of Section 10 of the Himachal Pradesh Municipal Act, 1994, the Governor, Himachal Pradesh is pleased to nominate the following persons as members (Government nominee) of Municipal Council, Nagrota Bagwan:—

- (i) Sh. Ram Swarup Chand, s/o Sh. Brij Lal, Ward No. 5, Nagrota Bagwan, Distt. Kangra, H.P.
- (ii) Sh. Girish Dhawan, s/o Sh. Jagat Ram Dhawan, Ward No.1, Nagrota Bagwan, Distt. Kangra, H.P.
- (iii) Sh. Pramod Mehra, s/o Sh. Bansi Lal, Ward No. 6, Nagrota Bagwan, Distt. Kangra, H.P.

By order,
Sd/-
Addl. Chief Secretary (UD).

NAGAR PANCHAYAT NADAUN**(CONTROL AND REGULATION) OF MUCK DUMPING BYE-LAWS, 2013****NOTIFICATION***Dated, the 6th May, 2013*

No. 444 NPN- (MUCKDUMPING) (1)-2013.—The following Muck dumping bye-laws, 2013 made by the Nagar Panchayat Nadaun in exercise of the power conformed by Section 216,217 and Section 219 read with Clause (Y and zb) of sub section (1) of Section 202 of the Himachal Pradesh Municipal Act, 1994 (**Act No 13 of 1994**) as amended from time to time has been considered by the Nagar Panchayat Nadaun and finalized these bye-laws namely:—

“Nagar Panchayat Nadaun (Control and regulation) of Muck Dumping Byelaws, 2013”**Preliminary**

1. Short title, commencement and application.—(i) these Bye-laws may be called “Nagar Panchayat Nadaun (Control and regulation) of Muck Dumping Bye-laws, 2013”.

(ii) These Bye-laws shall come in to force from the date of their publication in the Rajpatra (extraordinary) Himachal Pradesh.

(iii) These Bye-laws shall be applicable within the jurisdiction of Nagar Panchayat Nadaun as defined from time to time.

2. Definitions.— (i) In these Bye-laws, unless the context otherwise requires:—

- (a) **“Act”**- means the Himachal Pradesh Municipal Act 1994 (Act No 13 of 1994) as amended from time to time .
- (b) **“Applicant”**- means any person applying for permission for dumping of Muck in the authorized dumping places as specified by the nagar Panchayat Nadaun.
- (c) **“Authorized Officer”**- means any officer /official duly authorized by the Nagar Panchayat Nadaun under these Bye-laws.
- (d) **“Muck”**- includes earth or stone, material of any description or any rubbish or polluted or obnoxious matter or Debries including building, construction waste .
- (e) **“Place”**-mean authorized site specified by the Nagar Panchayat Nadaun for dumping of Muck.
- (f) **“Judicial Magistrate First Class”**-means the Judicial Magistrate having jurisdiction over the area of Nagar Panchayat Nadaun under Act.
- (g) Words and expression used in these Bye-laws but not defined herein shall have the meaning respectfully assigned to them under the Act.

3. Prohibition on Muck Dumping.—(i) no person ,either by himself or through another, shall knowingly or otherwise throw or cause to be thrown any kind of Muck in any place other than place specified by the Nagar Panchayat Nadaun for dumping of Muck within their area.

(ii) any person found dumping the muck illegally unauthorisedly and without any permission shall be liable for penalty under these Bye-laws and the vehicle or tools used for such dumping shall be impounded.

4. Procedure for Application and grant of permission.—(i) Applicant or the person concerned intended to commence the construction within the area of the Nagar Panchayat Nadaun shall in writing submit detailed estimate of Muck to be generated from the plot/construction site to the Nagar Panchayat Nadaun on the prescribed proforma **appendix-1** at the time of submission of their building map/plan for sanction. The building plan without such estimate shall not be considered for sanction.

(ii) The estimate submitted by the applicant shall be verified by the concerned official after spot inspection and thereafter the carriage of muck to the generated from the plot/construction site shall be assessed for raising the bill and for according necessary permission in favour of the applicant .

(iii) The permission for dumping of debris shall be accorded only after obtaining receipt of the amount deposited the applicant in the Nagar Panchayat Nadaun on this account.

(iv) The place for dumping of muck shall be communicated to the applicant by the Nagar Panchayat Nadaun authorities in writing and the name of the place/site for dumping or debris by the applicant shall also be mentioned in their building sanction letter .Further, intimation of the same shall also be given to the concerned official or to the concerned agency or the contractor hired or engaged by the Nagar Panchayat Nadaun for managing the dumping site.

(v) During transaction of the Muck, a person shall have to carry the original permission a copy of which shall be affixed on the windscreen of the vehicle and same shall to be show to the authorized Officer of the Nagar Panchayat Nadaun at the time of inspection.

(vi) There shall be a restriction on movement of the vehicle carrying Muck after the sun set and before the sun rise. The normal timings for dumping the Muck in dumping site shall be between 9:00 A.M. to 5:00 P.M. However, in the case of exigencies, the Nagar Panchayat Nadaun may in writing relax such restrictions.

(vii) No one shall be permitted to carry the digging and excavation of plot or land after sun set and before sun rise but the Nagar Panchayat Nadaun in the larger public interest or in the case of emergent situation may relax such imposition/restrictions on receiving written request from the applicant or the concerned agency or the authority interested in this regard.

(viii) The person after obtaining the sanction of building map from the competent authority or before raising the construction at site is required to install a painted board of the Size of 2feet × 3feet indicating there in the number and date of the sanctioned, commencement of construction and hours during which construction can be carried out, time when excavation can be done, name of dumping site allotted to the applicant for the purpose of dumping muck, nature of sanction, the area of construction sanctioned on each floor and the telephone number of the office/Control Room set up by the Nagar Panchayat Nadaun for entertainment of complaints etc.

(ix) The Nagar Panchayat shall prescribe the conditions relating to the application of muck generation from the plot, grant of sanction muck disposal and condition relating to affixing of board at site giving therein the detail as mentioned in clause (Viii) at the time of building sanction.

5. Rate of dumping of muck.—The following rates shall be applicable for dumping of muck in the specified places.

(1) Tipper Heavy duty	Rs.200/- per tipper /truck
(2) Tipper light duty	Rs.100/- per tipper
(3) Tractor trolley	Rs.50/- per trolley
(4) Pick up	Rs. 25/- per pickup

An increase of 10% on these rates shall be applicable after every financial year which shall be notified by the Nagar Panchayat Nadaun.

In case where muck is dumped not by use of mechanized but by use of manual labour horse carts, wheel barrow, hand cart, etc the following rates shall be applicable for dumping of muck in the specified places.

(1) Horse Cart	Rs.20/- per trip
(2) wheel barrows /hand cart	Rs. 2/- per trip
(3) Muel	Rs. 2/- per trip
(4) Manual	Rs. 1/- per basket

6. Duties and responsibilities of person concerned.—(i) It shall be the duty and responsibility of owner to make available all the sanctions / permission granted by the component authority to the person so hired or engaged by him for dumping of muck in a specified places as specified by the Nagar Panchayat Nadaun.

(ii) Whosoever is found dumping muck other than the places specified by the Nagar Panchayat Nadaun, the owner or the person caught dumping the muck shall be liable jointly for penalty under these Bye-laws.

(iii) At the time of transportation of muck, the person concerned shall make available the permission to the inspecting staff at the time of inspection of vehicle without causing any hindrance.

7. Impounding of vehicle.—(i) The authorized officer or the police establishment or the Nagar Panchayat Nadaun in this behalf either on the information received by himself or through other source shall immediately on receiving such information may stop and inspect the vehicle

carrying muck for the purpose of ascertaining the required permission at any point of time and impound the same if any found violating the provision of these Bye-laws.

(ii) The vehicle shall only be released in case the register owner of the vehicle applies for compounding of offences under these Bye-laws.

(iii) The official impounding the vehicle shall immediately report in writing about the impounding of vehicle to the authorized officer/official and keep the same in custody at the place designated by the Nagar Panchayat Nadaun till it is not released to the registered owner. The halt charges of the vehicle at such designated place shall be levied at the rate of Rs. 500/- per day payable by registered owner to the Nagar Panchayat Nadaun in cash or through demand draft.

8. Compounding of offences .—All the offences punishable under these bye-laws may, before the institution of prosecution, be compounded by such officer as may be authorized by the Nagar Panchayat Nadaun or Secretary in this behalf, on payment of sum Rs. 100/-such officer under these Bye –laws.

(i) The junior engineer of Nagar Panchayat Nadaun is also authorized to panel action against the guilty found under this act.

9. Offences to be tried summarily.—The offences which are not compounded shall be tried in a summary manner by the special judicial Magistrate First Class of the concerned municipal area under section 2060 of the code of criminal procedure.

(i) If any cases of disposal of muck where no planning/Building permission is required. Therefore these bye-laws should not only deal with muck being generated on account of construction where building permission is required but even where such building permission is not required. For example, when a person carries out minor repair of his house he may not be required to obtain permission but muck may be generated. The whole muck dumping Bye-laws 2012 shall also be applicable in these cases.

10. Penalty.—(i) Whosoever is guilty of dumping Muck other than the place specified/notified by the Nagar Panchayat Nadaun the rates of penalty shall be ten time at the first instance, twenty time at the second instance and for the third instance or thereafter the amount of penalty shall be thirty time of the actual rate of dumping as fixed by the Nagar Panchayat Nadaun in respect of the class and make of vehicle as defined in clause 5 of these Bye-laws.

(ii) And where muck is dumped not by use of mechanized means but by use of manual labour mules etc. whosoever is guilty of dumping muck other than the place specified/notified by the Nagar Panchayat Nadaun penalty shall be Five time at the first instance, ten time at the second instance and for the third instance or thereafter the amount of penalty shall be fifteen time of the actual rate of dumping as fixed by the Nagar Panchayat Nadaun in respect of the class and make of vehicle and manual, mules, carts as defined clause 5 of these bye-laws.

(iii) In case of repeated violation, in addition to penalty as specified above, the owner at whose instance the construction /excavation work is carried and is found dumping the Muck illegally or without the permission of the component authority as the case may be shall also be liable for disconnection of water, electricity and others civic amenities and the concerned officer / official may request the competent authority for withdrawal of recognition and registration granted in favour of the owner concerned.

By order
-Sd-
Secretary,
Nagar Panchayat Nadaun.

नाम परिवर्तन

मैं जोगिन्द्र सिंह पठानिया सुपुत्र श्री अमर नाथ, बनीखेत, जिला चम्बा घोषणा करता हूँ कि मेरा पहले नाम जोगिन्द्र सिंह था, अब मेरा नाम जोगिन्द्र सिंह पठानिया पढ़ा जाए।

जोगिन्द्र सिंह पठानिया
सुपुत्र श्री अमर नाथ,
बनीखेत, जिला चम्बा

**In the Court of Shri Karam Chand, Naib-Tehsildar-cum-Executive Magistrate,
Dharamshala, District Kangra, Himachal Pradesh**

Case No. 28/NT/13

1. Shri Sachin Kumar s/o Shri Dharm Chand, r/o V. P. O. 251, Sakoh, Tehsil Dharamshala.
2. Smt. Sudha Devi d/o Shri Brahma Nand, resident of panyala, P. O. Bhattu, Tehsil Baijnath.

Versus

1. General Public, 2. The Registrar of Marriages.

Subject.—Registration of marriage under section 8 (4) of the H. P. Registration of Marriages Act, 1996 (Act No. 21 of 1997).

PUBLIC NOTICE :

Whereas the above named applicants have made an application under section 8 (4) of the Himachal Pradesh Registration of Marriages Act, 1996 alongwith an affidavit stating therein that they have solemnized their marriage on 10-2-2009 at Sakoh but has not been found entered in the records of the Registrar of Marriages, Sakoh.

And whereas, they have also stated that they were not aware of the laws for the registration of marriage with the Registrar of Marriages and now, therefore, necessary order for the registration of their marriage be passed so that their marriage may be registered by the concerned authority.

Now, therefore, objections are invited from the general public that if anyone has any objection regarding the registration of the marriage of the above named applicants, they should appear before the court of undersigned on 11-6-2013 at Tehsil Office Dharamshala at 10.00 A. M. either personally or through their authorized agent.

In the event of their failure to do so, orders shall be passed *ex parte* for the registration of marriage without affording any further opportunity of being heard.

Issued under my hand and seal of the Court on 26-4-2013.

Seal.

KARAM CHAND,
Naib-Tehsildar-cum-Executive Magistrate,
Dharamshala, District Kangra, Himachal Pradesh.

ब अदालत श्री लेख राम धीमान, नायब तहसीलदार एवं सहायक समाहर्ता द्वितीय श्रेणी, उप-तहसील धीरा, जिला कांगड़ा, हिमाचल प्रदेश

केस नं० : 12/2013

तारीख पेशी : 31-5-2013

शीर्षक :

श्री तरलोक नाथ पुत्र श्री वदरी राम, निवासी मुहाल डेहडी, मौजा व उप-तहसील धीरा, जिला कांगड़ा, हिमाचल प्रदेश

बनाम

आम जनता

श्री तरलोक नाथ पुत्र श्री वदरी राम, निवासी मुहाल डेहडी, मौजा व उप-तहसील धीरा, जिला कांगड़ा, हिमाचल प्रदेश ने इस अदालत में प्रार्थना-पत्र मय शपथ इस आशय से पेश किया है कि उसका असल नाम तरलोक नाथ है जबकि राजस्व रिकॉर्ड के मुहाल डेहडी, मौजा व उप-तहसील धीरा में तरलोक चन्द दर्शाया गया है। अतः मेरा नाम राजस्व अभिलेख में दुरुस्त किया जावे।

अतः इस इशतहार मुस्त्री मुनादी द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि किसी को उक्त नाम की दुरुस्ती बारे उजर या एतराज हो तो वह दिनांक 31-5-2013 को प्रातः 10.00 बजे असालतन या वकालतन हाजिर अदालत आकर अपना उजर पेश कर सकता है अन्यथा प्रार्थना-पत्र स्वीकार किया जाकर राजस्व रिकॉर्ड मुहाल डेहडी, मौजा व उप-तहसील धीरा में तरलोक चन्द के बजाए तरलोक चन्द उपनाम तरलोक नाथ पुत्र श्री वदरी राम दर्ज करने के आदेश पारित कर दिए जाएंगे।

आज हमारे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

लेख राम धीमान,
नायब तहसीलदार एवं सहायक समाहर्ता द्वितीय श्रेणी,
धीरा, जिला कांगड़ा, हिमाचल प्रदेश।

ब अदालत श्री मुनीष चौधरी, तहसीलदार एवं सहायक समाहर्ता प्रथम श्रेणी ज्वाली, जिला कांगड़ा, हिमाचल प्रदेश

श्री रणजीत सिंह उर्फ जीतू, महाल धलवाडा, तहसील ज्वाली, जिला कांगड़ा, हिमाचल प्रदेश।

बनाम

आम जनता

श्री रणजीत उर्फ जीतू पुत्र श्री रूलिया राम ने इस अदालत में एक प्रार्थना-पत्र दिया है कि मेरा नाम राजस्व रिकॉर्ड में जीतू है जबकि पंचायत रिकॉर्ड व स्कूल में उसके बच्चों के शिक्षा प्रमाण-पत्र में रणजीत सिंह है। जबकि यह दोनो नाम एक ही व्यक्ति के हैं।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि किसी को इस बारे में उजर व एतराज हो तो वह दिनांक 20-6-2013 को अदालत हजा में हाजिर होकर एतराज प्रस्तुत कर सकता है

अन्यथा प्रार्थना—पत्र स्वीकार किया जाकर रणजीत सिंह उर्फ जीतू पुत्र श्री रूलिया राम महाल चलवाडा, तहसील ज्वाली, जिला कांगड़ा, हिमाचल प्रदेश दर्ज करने के आदेश पारित कर दिए जाएंगे।

आज दिनांक.....2013 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर।

मुनीष चौधरी,
तहसीलदार एवं सहायक समाहर्ता प्रथम श्रेणी,
ज्वाली, जिला कांगड़ा, हिमाचल प्रदेश।